

INTERNATIONAL CITY MANAGERS' ASSOCIATION

1313 EAST 60TH STREET - CHICAGO 37, ILLINOIS

Report
97 Feb. - '52

This report was prepared in response to an inquiry from a municipality subscribing to this Service and is distributed to all subscribers. The contents may not be reproduced without permission.

Route To:

Return To:

SUMMARY OF REPLIES TO RECENT SELECTED MIS INQUIRIES

How many and what kind of inquiries does MIS receive from officials of subscribing cities, and what replies have been made by MIS on some subjects of general interest?

One of the most important features of MIS, since it was established six years ago, is the prompt handling of inquiries received by mail, telegraph, or telephone from officials of subscribing cities. MIS received, during the last six months of 1951, a total of 258 inquiries on 49 different municipal topics.

Replies to these inquiries usually summarize best practices, indicate trends, and often contain specific suggestions for action by city officials. In addition, books, pamphlets, and other reference materials often are loaned to the city from the extensive files accumulated by the International City Managers' Association.

Many of these inquiries are of general interest to most city officials. In order to give all MIS subscribers the benefit of information on a wider range of subjects, this report presents brief abstracts of some of the answers given to questions received during the last six months of 1951. Subjects covered in this report are:

Drive-in Restaurants	Truck Loading Zones
Control of All-night Parking	The City Beautiful
Charges for Outside Fire Service	Valuating Motor Equipment
Reducing the Firemen's Work Week	Police Department Discipline
Requirement of Bid Bonds	Highway By-passes
Parking Meter Advertising	Delinquent Traffic Tickets

Drive-in Restaurants

Drive-in restaurants bring problems of noise, traffic congestion, and general commotion. Some cities have had difficulty controlling these establishments and have received many complaints from persons residing in the immediate vicinity. A zoning ordinance which restricts drive-in restaurants to certain sections of the city is basic. The Colorado Springs, Colo., ordinance for example prohibits drive-in establishments in neighborhood and intermediate commercial zones. These establishments are permitted only in general business zones, which also allow auto repair shops, bakeries, dry cleaning plants, laundries, warehouses, and similar businesses.

A zoning provision of this kind, however, does not control the drive-in restaurant that was established before the ordinance was passed. A city manager in the South asked for help on this question, and information was secured from officials in several cities as to the various police methods used to control drive-in restaurants. The methods of control varied in the cities surveyed, but the usual methods were the following: (1) a strictly enforced anti-noise ordinance, (2) the assignment of extra police during late evening hours to control any undue commotion and to regulate heavy automobile traffic, and (3) the general authority of the city to regulate nuisances.

Most of the city officials stressed the importance of securing the cooperation of drive-in proprietors in shielding spotlights, controlling noise (especially juke-boxes), and generally running the establishment so as not to offend the neighbors.

Control of All-night Parking

The recent snowstorms in northern cities again point up the problem of all-night parking of automobiles on city streets. In many of the larger cities, snow plowing is impossible on all but a small portion of city street mileage because of cars parked bumper-to-bumper along both curbs. An all-night parking prohibition on all city streets will, of course, help snow plowing and street cleaning, but it takes considerable police patrol to make the ordinance effective. The police chief of one mid-western city reported that the patrolmen must get out and chalk the tires of cars and then return two hours later to recheck the marked tires--all of which is a time-consuming process. In addition, this police department has had many complaints about the ordinance, particularly from residential areas where there is little traffic.

Two other methods have been tried. Evanston, Ill., has an ordinance prohibiting overnight parking on city streets, and the city has set up parking lots that are owned, leased, or controlled by the city as "reserved space parking areas". Spaces in these lots are assigned to persons for the parking of passenger cars. Each person secures a permit and pays a fee of \$12 per calendar quarter for the reserved off-street parking space.

In Milwaukee, Wis., and Monterey Park, Calif., a stop-gap measure of renting curb space has been adopted. In both cities this is done only where the applicant can prove that he is unable to obtain off-street parking space within a reasonable distance of his place of residence. The fee in Monterey Park is \$7.50 per year. The ordinance has been strictly enforced and a considerable drop in auto accessory thefts has been noticed since the ordinance went into effect. The Milwaukee permit is issued for a fee of \$4 per month and must be renewed each month. No permits are issued for parking on arterial highways, fire lanes, and streets with public transportation lines.

Charges for Outside Fire Service

Home owners and industrial concerns in unincorporated areas generally look to the nearby city for fire protection service. These fringe dwellers want to obtain lower fire insurance rates and to avoid the high cost of maintaining fire protection service for a small area. The rapid population growth in urban fringe areas since the war has increased the demands for fire protection outside city limits. Minneapolis Minn., uses one of the best methods by basing outside fire service charges on a fixed annual amount related to the assessed valuation of property plus a service charge for each outside call based on hourly rates for men and equipment responding to the call. The city recently doubled its charges (see October, 1951, Public Management, p. 232) to compensate for increased costs of fire services over the last 10 years and the low assessed valuations on property outside the city.

MIS Report No. 25 discusses in some detail the factors to be considered in establishing charges, the several plans that can be used for fixing charges, and the kinds of agreements or contracts that can be drawn up between the city and the outside interests. The ICMA training manual Municipal Fire Administration also contains a detailed discussion of this problem.

Reducing the Firemen's Work Week

Nearly ten per cent (112) of all cities over 10,000 population reduced the work week for fire fighters in 1950, according to the 1951 Municipal Year Book. Many cities in reducing work week hours have had to recruit and train new personnel as well as secure revenues to pay for the extra firemen needed. A change-over of this kind usually should not take place in less than six months to allow time for recruiting and training additional manpower.

Early steps for this change should include enlargement of the training staff to include officer training groups and classes for apparatus operators and new recruits. The change can be spread over several months by having recruits hired and trained at different times. As they are trained they are assigned to regular fire companies. At the same time, new officers can be assigned and trained and gradually worked into fire companies. In other words, the required number of officers and men for the shorter work week can be assigned, trained, and working in appropriate fire companies (on the old schedule) or the day the shorter work week takes effect.

Requirement of Bid Bonds

Requiring bid bonds for city purchasing is time consuming and complicated, and the procedure may even discourage competition for city business. Some cities have found, in these times of shortages, that merchants refuse to post a bid or performance bond for city business. The bid bond can be safely eliminated when strict prequalification of bidders is a part of regular purchasing procedures. The form for prequalification used in Milwaukee secures information on the type of business and the names of its officers and serves as authorization to banks and other organizations to furnish financial and credit information to the city purchasing agent. The prospective bidder must furnish a financial statement and references to other agencies he has done business with.

A recent survey of 33 cities by the Municipal Finance Officers Association shows that 24 cities require deposits on purchase bids and 9 cities do not. The amount of the bids ranges from \$250 to \$5,000, the size of the city having no bearing on the amount. The amount of the bid deposit ranges from two or three per cent in five cities up to the total amount of the bid in one city.

Three cities have recently adopted stream-lined procedures for bid deposits. Cincinnati, Ohio, has required a ten per cent bond or certified check. The city has found, however, that in a seller's market and also on some non-competitive items, that bidders refuse to furnish security. In such instances, the city can lower or even waive the bid on the basis of need for the particular product.

For many purchases Milwaukee stipulates only a very modest or nominal sum to assure that the city is dealing with a responsible concern. For many kinds of buying, the central purchasing agency may decide the amount of bid bond or may eliminate it entirely. In addition no performance bonds are required for purchases up to \$5,000, except on term agreements or in cases where the city has not had previous experience with the contractor.

Phoenix, Ariz., recently provided that Arizona firms submitting bids to the city need not post bond on most items where the total amount is less than \$5,000.

Parking Meter Advertising

Representatives of advertising agencies have approached several cities in recent months with the proposal that different kinds of commercial advertising be placed on parking meter heads as a means for the city to gain additional revenue from the meters. The proposal is controversial, but least seven cities in different parts of the country have contracts for this kind of advertising. Many people, particularly downtown merchants, resent having parking meters used for advertising in direct competition with the stores in front of which they are placed. Several city attorneys have ruled that such advertising cannot be allowed on the general grounds that public streets cannot be used for anything but traffic ingress and egress and for other public purposes. Such rulings have been made by city attorneys in Houston, Tex., and Aberdeen and Puyallup, Wash. In addition, three court cases in St. Petersburg, Fla., Seattle, Wash., and Louisville, Ky., have stopped advertising on park benches, bus stop benches, and waste receptacles.

Delinquent Traffic Tickets

Any program for traffic law enforcement will break down when no systematic follow-up is made on traffic tickets. Some persons living outside the city, particularly in the fringe areas, simply ignore traffic tickets.

Traffic law enforcement is only realistic with adequate police patrol, pre-numbered, "non-fix" tickets, and systematic follow-up. Many traffic courts or traffic violation bureaus issue written notices to violators followed, when necessary, by a warrant for arrest. It is the only method to prevent slipshod enforcement. A useful adjunct to this procedure is to work with neighboring cities in serving each other's traffic arrest warrants. Phoenix, Ariz., has an arrangement with neighboring cities so that notification is sent to the particular city where the traffic violator resides and that city police department then issues a warrant and arrests the person to compel his appearance in court.

Reciprocity can be carried still further in suspending or revoking a driver's license. It is the most effective threat of all, and state laws have been passed in New York, Connecticut, Massachusetts, Pennsylvania, and New Jersey so that motor vehicle administrators in those five states can work together on traffic law enforcement. When a traffic violation occurs, a notification is sent immediately to the motor vehicle administrator of the state in which the violator resides. If the offense is serious enough, the state can immediately suspend or revoke the driver's license under statutory authority.

Truck Loading Zones

Automobile traffic in the central business district often is tied up on week days because of trucks loading and unloading at retail stores and service establishments. The principal long-term answer to this problem is a municipal zoning ordinance requiring off-street truck loading space for all new construction and extensive remodeling of downtown business establishments.

For existing retail establishments, on-street truck loading zones must be set up and controlled in the business district if there are no alleys or other means of access. One method is to set up a loading zone in the center of the block and require all business houses in that block on that side of the street to use that zone. The various stores can work out an agreement among themselves as to the time each store could have for the loading zone. With this plan, the police can strictly enforce any prohibition against double parking.

The city traffic ordinance should provide loading zones together with four major controls on their use. First, a charge for use of the loading zone should be established that would be equal to the approximate amount of revenue from parking meters if installed in that area. Second, each local business firm should secure a permit for each delivery truck that will use loading zones. Third, the use of loading zones for local delivery trucks should be prohibited during traffic rush hours. Finally, traffic regulations should contain restrictions on the length, weight, and turning radius of all trucks using loading zones.

The City Beautiful

A city attorney asked for information on the legal steps that can be taken to control the development and promote the beautification of the city. The most important steps that can be taken are development of zoning and land sub-division control ordinances. Zoning can be used to segregate commercial, industrial, and residential neighborhoods and limit the location, for example, of such enterprises as trailers, tourist courts and motels. Zoning and land sub-division regulations, however, should be developed positively as a part of the city planning program. Other positive steps that can be taken by the city include good maintenance of city streets, parks, boulevards, and public buildings, development of recreation areas, and adequate street lighting.

Many kinds of regulatory ordinances can be adopted to control and eliminate nuisances of different kinds. The courts have generally held, for example, that cities have the right to order the removal of noxious or unsightly weeds on vacant lots or other properties. If the property owner refuses to remove the weeds, the city can cut the weeds and charge the cost to the property owner. Anti-smoke and anti-noise ordinances have been adopted by many cities as means of controlling the appearance of the city and creating a more pleasant environment. In addition, a number of cities have ordinances prohibiting signs and billboards in certain parts of the city and strictly controlling the size and location of signs and billboards in the downtown business district.

Valuating Motor Equipment

Determining the appraised value and the salvage value is part of inventory and accounting procedures for the acquisition, control and disposition of city-owned motor equipment. The appraised value or present value of any passenger car seems to be determined on only two things--low mileage and clean upholstery. Second-hand car dealers customarily use the "blue book" published periodically by the National Association of Automobile Dealers. This book shows average prices by year, make, and model on used car sales all over the United States and thus gives a fairly good idea of the market value of any city-owned passenger car.

Use or wear-and-tear is almost the only factor in determining value for trucks, graders and other kinds of public works equipment. Such equipment, with good care, often lasts from 10 to 20 or more years, and past experience on the life of public works equipment is the best basis for appraised value. It is always difficult, however, to secure an accurate appraised value for any piece of public works equipment because of obsolescence and limited use and resale value.

The salvage value is an estimate of the worth of any piece of equipment when it is no longer economical for city government use. Many engineers and accountants maintain that it is not economical to keep any piece of motor equipment (passenger cars and otherwise) until it is completely worn out. A police patrol car, for example, might be turned in at the end of two years with fifty to sixty thousand miles on the

speedometer. The car still would have useful life, but it would be cheaper for the city to replace it with a new car. In such a case, the estimated salvage value might run to \$500 or more. Thus the estimated salvage value is determined by the length of time that the city plans to keep each piece of equipment and by the amount that can be obtained when the equipment is sold for cash or traded in on another piece of equipment.

Police Department Discipline

Police and fire departments traditionally have more detailed rules governing attendance, time off, and conduct on the job than employees have in other city departments. The semi-military nature of the work often means that disciplinary penalties are strictly and speedily imposed by a system of merits and demerits or awards and penalties.

Discipline for police department employees, however, can be approached positively. The positive meaning connotes morale, the manner in which members of an organization conform to established rules and regulations, and the intangible behaviour standards of the group. An approach well worth considering is that of having the police chief and his subordinates consult in an informal and friendly way with the rank and file of the employees in drawing up or revising departmental rules and regulations. It may be that no attempt has been made to explain and interpret rules and regulations to members of the department and to show why the rules are necessary for the good of all members of the department. Most important of all, rules and regulations will be more effective when members have had a part in their development.

Highway By-passes

A number of state highway departments in the last 20 years have rerouted major highways to by-pass medium-size and smaller cities thus facilitating the flow of through traffic. Local residents usually object strenuously to the abandonment of a highway that passes directly through the town. The objection is particular strong from retail merchants who fear the loss of trade. Experience in a number of cities has shown, however, that by-passes usually are beneficial to cities rather than harmful to their economical development. A recent study by the California Highway Department showed that a by-pass around North Sacramento resulted in an actual increase of business for downtown stores because of the reduction in street traffic congestion in the central business district.

Three excellent references on this subject are: Do By-Passes Hurt Business published by the U. S. Chamber of Commerce; an article entitled "By-Passes for Small City and Town" from the April, 1950, issue of Traffic Quarterly; and a federal government report entitled Inter-Regional Highways (pages 56 to 74) published in 1944.

Note: Considerable information in MIS files is available on most of the topics in this report. Some of these materials, for example, include over-night parking ordinances for Milwaukee, Wis., and Kalamazoo, Mich.; the Minneapolis report on outside fire service charges; and the Fort Worth, Tex., ordinance controlling nuisances. Other information can be obtained through publications of the International City Managers' Association including individual city data on curb loading zones in the 1949 Municipal Year Book and a discussion of police department discipline in the ICMA training manual, Municipal Police Administration.